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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/539,027	06/15/2005	Mattheus Jacobus Van Der Meer	NL 021399	7361

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EXAMINER

PAYER, HWEI SIU CHOU

ART UNIT PAPER NUMBER

3724

DATE MAILED: 09/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/539,027

Applicant(s)

VAN DER MEER, MATTHEUS
JACOBUS

Examiner

Hwei-Siu C. Payer

Art Unit

3724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-7 is/are rejected.
- 7) ☒ Claim(s) 2 and 8 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

Detailed Action

Objection to the Specification

The disclosure is objected to because of the following informalities:

- (1) On page 1, lines 3-4, "according to the introductory portion of claim 1" should be deleted.
- (2) On page 2, line 15, "according to claim 1" should be deleted.
- (3) On page 3, line 18, "Slits" should read --slits--.
- (4) On page 4, line 6, after "4", --of-- should be added.
- (5) On page 4, lines 9 and 13, "retainers" should read --restrainers--.
- (6) On page 5, line 11, "members" should read --member--.
- (7) On page 6, line 4, "prevents that it rotates further" should --prevents it from rotating further--.
- (8) On page 7, line 12, "al" should read --a--.
- (9) On page 7, line 21, "4" should read --14--.
- (10) On page 7, line 25, "retainers" should read --restrainers--.
- (11) On page 7, line 29, "61" should read --11--.
- (12) On page 8, line 3, "are in being driven" should read --are being driven--.
- (13) On page 8, line 9, "14" should read --64--.

Appropriate correction is required.

Claims Objections

Claims 1-8 are objected to because of the following informalities:

(1) In claim 1, line 9, "the skin" has no clear antecedent basis. It is suggested after "hair" (at line 7 of the claim), --from a skin-- be added.

(2) In claim 1, line 20, "at least two of said shaving heads" should read --said at least two shaving heads--.

Appropriate correction is required.

Claims Rejections - 35 U.S.C. 112, second paragraph

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 3-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

(1) In claim 3, lines 3 and 5, "said restrainers" and "said at least one restrainer" have no clear antecedent basis.

(2) In claim 4, line 2, "said restrainer" and "said restrainers" lacks antecedent basis.

(3) In claim 5, line 2, "said at least one restrainer" has no antecedent basis.

(4) In claim 6, line 3, "the restrainers" lacks antecedent basis.

(5) In claim 7, lines 3 and 5, "said at least one restrainer" and "said at least one other restrainer" have no antecedent basis.

Claim Rejection - 35 U.S.C. 103(a)

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Izumi (U.S. Patent No. 5,983,501) in view of Kadijk et al. (U.S. Patent Application Publication No. 2001/0039734).

Izumi discloses a shaving apparatus (10) comprising at least two shaving heads having internal cutting members (40) and associated external cutting members (12); a drive structure (18); means for effecting rotation including a control member (48,44) arranged between the at least two shaving heads and engaging the external cutting members (12) substantially as claimed except the external cutting members (12) do not have two different shaving fields for cutting short and long hair, respectively.

Kadijk et al. teach providing each external cutting member (4) of a shaving apparatus with a first shaving field (8) having apertures (10) of a first type for cutting short hair and with a second shaving field (7) having apertures (9) of a second type for cutting long hair.

It would have been obvious to one skilled in the art to modify Izumi by providing each of the external cutting members (12) with two different types of apertures in which one type is for cutting long hairs (pre-shaving) and the other type is for cutting short hair (close shaving) to improve shaving performance as taught by Kadijk et al.

Indication of Allowable Subject Matter

1. Claims 2 and 8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
2. Claims 3-7 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Prior Art Citation

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Izumi et al. and Steinberg is cited as art of interest.

Point of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hwei-Siu C. Payer whose telephone number is 571-272-

4511. The examiner can normally be reached on Monday through Friday, 7:00 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer Ashley can be reached on 571-272-4502. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for official communications and 571-273-4511 for proposed amendments.

H Payer
September 6, 2006



Hwai-Siu Payer
Primary Examiner